

Appl. No. 10/038,341
Amdt. Dated January 20, 2006
Reply to Final Office action of December 30, 2005

REMARKS/ARGUMENTS

Claims 1-35 are pending in the present application.

This Amendment is in response to the Final Office Action mailed December 30, 2005. In the Final Office Action, the Examiner rejected claims 1-35 under 35 U.S.C. §102(e). Applicant has amended claims 1, 7, 11, 15, 21, 22, 25, 27, 31, 32 and 34. Reconsideration in light of the amendments and remarks made herein is respectfully requested.

Response to Examiner's arguments

In the Final Office Action, the Examiner contends that Traversat discloses "[a]n advertisement for the peer group 210 is registered on the proxy service 270 in the region 212A." (Final Office Action, page 3, lines 3-4). Applicant respectfully disagrees. For ease of reference, the cited excerpt is copied below:

"FIG. 25 illustrates peer group registration across a firewall according to one embodiment. Peer region 212A is shown outside of a firewall 248 and peer region 212B is behind the firewall 248. Peer region 212A includes a peer-to-peer platform proxy service 270 and several peers 200. In one embodiment, a peer 200 may be serving as a proxy peer that provides the proxy service 270. Peer region 212B includes several peers 200 behind the firewall 248. At some point, peer 200D in peer region 212B may form a peer group 210. An advertisement for the peer group 210 may be registered on the proxy service 270 in the region 212A. One or more peers 200 in region 212A may be notified of the newly registered peer group 200 by the proxy service 270. In one embodiment, the proxy service may also notify other known peer-to-peer platform proxy services in this or other regions 212, who in turn may notify other proxy services, and so on. Peers 200 in region 212A may then apply for membership in peer group 200."
(Traversat, paragraph [0463]. Emphases added.)

As shown in the above excerpt, the peer group 210 registers on the proxy service 270 in the region 212A which is outside the firewall. In contrast, the claimed invention provides registration internally inside the firewall. To clarify this aspect of the invention, claims 1, 7, 11, 15, 21, 22, 25, 27, 31, 32 and 34, have been amended.

The Examiner further states that either of the peers collects the message and then routes/distributes the message to the destination peers using the cached route information as

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explained on figure 31, reference 524 (Final Office Action, page 3). The Examiner then concludes that this meets the recitation of a collector to collect a message as well as a distributor, and distributing inherently includes the matching in the address information of the message and the registered internal peers (Final Office Action, page 3). Applicant respectfully disagrees for the following reasons.

First, Traversat explicitly discloses that a relay peer caches route information and use the route information to route messages between peers (Traversat, Paragraph [0417]; Figure 31). The route information may be discovered in sending messages from source to destination peers, or received from other peer nodes such as other relay peers or rendezvous peers (Traversat, Paragraph [0417]; Figure 31). Therefore, there is no inherency regarding how the messages are sent. The route information is used to route the message, not based on the matching of address information of the message and the registered internal peer.

Second, Traversat explicitly discloses that the relay peer is a peer outside of a firewall (Traversat, Paragraphs [0403], [0407]; Figure 29, element 244). Therefore, it cannot be inside the firewall to collect and to distribute the message.

Third, Traversat does not disclose that the message is intended for an internal peer inside a firewall. The relay peer only routes messages between peers (Traversat, Paragraph [0417]; Figure 31), not from an external peer to an internal peer.

Rejection Under 35 U.S.C. § 102

In the Final Office Action, the Examiner rejected claims 1-35 under 35 U.S.C. §102(e) as being anticipated by U.S. Publication No. 2002/0143855 issued to Traversat et al. ("Traversat") which claims priority from Provisional Application No. 60/263,573 filed on January 22, 2001. Applicant respectfully traverses the rejection and contends that the Examiner has not met the burden of establishing a prima facie case of anticipation.

Traversat discloses relay peers for extending peer availability in a peer-to-peer networking environment. Relay peers relay messages between peers that cannot communicate directly (Traversat, paragraph [0401]). The peer inside the firewall may contact the relay peer to retrieve messages received at the relay peer on behalf of the peer (Traversat, paragraph [0402]). The relay peer may keep information about routes that it discovers and store them in the route

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table. This allows the relay peer to build a knowledge base about the network topology (Traversat, paragraph [0408])

Traversat does not disclose, either expressly or inherently, (1) a collector inside a firewall to collect a message intended for an internal peer inside a firewall via a gateway device at the firewall, (2) the internal peer being registered internally inside the firewall for an external communication across the firewall, (3) a distributor to distribute the message to the registered internal peer if there is a match in address information of the message and the registered internal peer, and (4) a registrar to register the internal peer internally inside the firewall for the external communication across the firewall.

Traversat merely discloses that any peer in a peer group may become a relay peer (Traversat, paragraph [0408]). A peer is not the same as a collector. Furthermore, Traversat does not disclose the intended internal peer registering for an external communication across the firewall. In addition, Traversat does not disclose a distributor to distribute the message to the registered internal peer if there is a match in address information of the message and the registered internal peer. Traversat merely discloses the peer inside the firewall contacting the relay peer to retrieve messages, not a distributor distributing the message if there is an address match. Claims 1, 11, 21, and 31 have been amended to clarify this aspect of the invention.

Furthermore, Traversat does not disclose a registrar to register the internal peer internally inside the firewall for the external communication across the firewall. As discussed above, Traversat merely discloses the peer group 210 registers on the proxy service 270 in the region 212A which is outside the firewall (Traversat, paragraph [0463]).

In the Final Office Action, the Examiner contends that any peer in a peer group can become a relay peer. The Examiner then concludes that either of the peers inside the firewall shown on Figure 20 (i.e., 200D or 200E) or Figure 21 (i.e., 200C or 200D) can be used as relay peers (Final Office Action, page 6, lines 14-17). Applicant respectfully disagrees. Traversat merely states that "any peer in a peer group may become a relay peer" (Traversat, paragraph [0411]) as a general discussion on peer characteristics, but does not disclose or suggest that any peer inside a firewall may become a relay peer. Traversat explicitly discloses that relay peers are outside a firewall or a partition (Traversat, paragraph [0407]). Even if a relay peer is inside a firewall, it still does not perform the tasks including registering peers inside the firewall,

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collecting messages, and distributing the messages if there is a match in address information as discussed above.

To anticipate a claim, the reference must teach every element of the claim. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Vergegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the...claim." Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ 2d 1913, 1920 (Fed. Cir. 1989).

Therefore, Applicant believes that independent claims 1, 11, 21, and 31 and their respective dependent claims are distinguishable over the cited prior art references. Accordingly, Applicant respectfully requests the rejection under 35 U.S.C. §102(e) be withdrawn.

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Conclusion

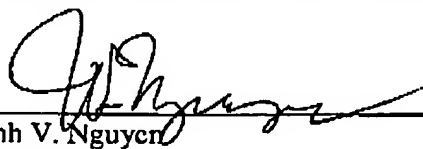
Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: January 20, 2006

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